

The rights stuff

Online shoppers have solid protection, particularly when buying from EU businesses. By Grainne Rothery



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Grainne Rothery Sunday February 07 2021, 12:01am GMT, The Sunday Times

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Online shopping has many advantages, including convenience and access to a very wide range of retailers and markets, but not being able to try before you buy can be a drawback. The good news is that you have more consumer protections when purchasing online than when you're buying in a physical store, provided that you're dealing with a business based in the European Union.

To know exactly what your rights are, it's important to check where the business you're considering buying from is based, says Doireann Sweeney, the head of corporate communications with the Competition and Consumer Protection Commission (CCPC).

This is crucial, irrespective of the URL or whether you have previously bought from the site.

"Consumers who buy online from EU-based businesses have strong consumer protections, which ensures that they have rights if something does go wrong — particularly the right to a refund," she says.

"Buying from a non-EU website [which now includes the UK] means these rights do not automatically apply. Therefore, if something does go wrong it may be more difficult for these issues to be resolved. This is particularly important to consider when buying high-value items."

Online shoppers must also be informed in advance of any additional taxes and charges they might incur. If you're told about any new charges when your item arrives and you don't want to pay them, you can refuse, return the item and get a full refund.

"If it's an EU-based business, they must provide the consumer with certain information, including the total cost of their purchase before they buy," Sweeney says. "This means that informing the consumer of additional costs after they've made their purchase is not permitted."

When it comes to faulty items your rights are the same whether they've been bought on the high street or online. "For example, if the item is faulty within the first six months of ownership the consumer is entitled to full remedy, including repair, replacement or refund," the ECC says.

The rules are also slightly different around sale items. If you buy something at a sale price in a shop your rights on returning the item will depend on the retailer's terms and conditions. Many retailers will only accept exchanges on sale items rather than returns.

However, the normal online consumer rights apply for sale purchases via the internet.

The ECC says that consumer protection rights are generally the same right across the EU.

There are some minor differences, however. For example, the return period that applies to faulty items can extend beyond the initial six months and varies across the EU — in Ireland it is six years while it is two years in many other member states.

Bear in mind that you are only protected by consumer legislation if you are buying from a trader or a registered company. You do not have these rights if you are buying from a private individual.

Check before you buy

Find out where the business is based

If it's outside the European Union, you may want to consider looking for an alternative within the EU to ensure that you have stronger rights if an issue arises. Bear in mind that having a ".ie" domain does not mean a company is based in Ireland. The same applies for other EU domains.

Buy from reputable retailers

It's important to do a little bit of research, such as checking reviews and social media accounts.

Check the cancellation and returns policy

When you are buying goods from outside the EU read the terms and conditions on the website to check whether you can return your order or cancel it if you change your mind.

Check for additional taxes or charges

If you are buying from a business outside the EU read the terms and conditions on its website for details of any import taxes or additional charges you may have to pay — such as VAT or customs charges — on delivery.

Pay by card

When shopping online pay by card so you may have the option of a chargeback from your credit or debit card provider if you do run into problems.

Check that the website is secure

Before entering your card details look for an "s" after the "http" at the beginning of the URL

Under EU legislation traders have to show their geographical address on the website or online marketplace they're selling from. Sweeney advises buying somewhere else if you don't feel that the postal address is genuine or if there's no address at all.

European Consumer Centre Ireland (ECC) notes that the EU's general consumer rights apply to in-shop and online purchases of products and services, whether you're shopping in Ireland, buying from anywhere in the EU, or when you're abroad within the EU and the European Economic Area (EEA). Under these general rights, businesses have to provide clear information about everything from the seller's identity, business address and contact details to itemised or inclusive prices and advice on how to cancel an order.

There are also rules around conformity of product or service — it must be as described by the seller and fit for the purpose intended. Sellers have to act in good faith and cannot make misleading claims or exert undue influence to make a sale.

Then there's non-discrimination — everyone within the 27 member states has an equal right to access an EU-based trader's goods or services, regardless of their location.

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Consumers have a range of additional protections when buying online within the EU. These rights covering online purchases also apply when you buy over the phone or by mail order.

You have the right, for example, to change your mind and return the product or service within 14 days without giving any reason. This cooling-off period is not a given when you buy something in a shop, where all returns will depend on the retailer's terms and conditions.

Bear in mind that EU retailers are not required to offer free postage on returns, although some do. It's a good idea to check the returns policy before making the initial purchase. There are rules around delivery time frames and EU businesses are responsible for delivery delay follow-ups. This is particularly relevant at the moment with reports of delivery delays in recent weeks.

"If you buy from an EU website your purchases should be delivered within 30 days unless you have agreed an alternative delivery date with the business," Sweeney says. "If a business does not deliver it to you within the time frame agreed they should either agree a different date or cancel the contract and issue a refund."

The retailer is responsible for a purchase until it is delivered to you, unless you organised your own delivery. "This means that if a business organises a courier to deliver a purchase to you, they must ensure its delivery, and should the item not be delivered they should either organise a replacement or a refund," Sweeney says.

and a padlock symbol in your browser's taskbar. These indicate that the website is secure.